1 2 3 4 5 6 7 8	MARKS & KLEIN LLC Andrew P. Bleiman, Esq. 1363 Shermer Road, Suite 318 Northbrook, Illinois 60062 Telephone: (312) 206-5162 E-mail: andrew@marksklein.com  FLETCHER & LEE Elizabeth Fletcher, Esq. Nevada Bar No. 10082 448 Ridge Street Reno, Nevada 89501 Telephone: 775.324.1011							
9	Email: efleto	her@fletcher	lawgroup.c	om				
10	Attorneys for	r Plaintiff HP	Tuners, LI	LC .				
11	UNITED STATES DISTRICT COURT							
12			D	ISTRICT	OF NEV	VADA		
13 14	HP TUNER:	S, LLC, a Nev	vada limited	d liability	Case	No. 3:18-cv-00527-LRH-CSD		
15 16	VS.	Plai	intiff,		PLAINTIFF HP TUNERS, LLC'S EXHIBIT LIST			
17	KENNETH	CANNATA,						
18		Def	endant.					
19								
20	Date Marked	Date Admitted	Number	Witn	ess	Description		
21 22			By Stipul	ation	Complaint for Injunctive Relief and Damages with All Attachments – Dkt 1 1_Complaint.pdf			
23			2	By Stipul	ation	Cannata Answer to Complaint 2 Answer.pdf		
<ul><li>24</li><li>25</li></ul>				By Stipul	ation	HPT First Requests for Admission to Defendant 3 Requests for Admission.pdf		

1	Date Marked	Date Admitted	Number	Witness	Description
2	Markeu	Admitted	4	By Stipulation	Cannata 1st Supp Resp to Requests for
3					Admission 4 1st Supp Response to Requests for
4					Admission.pdf
5			5	By Stipulation	Cannata 2nd Supp Responses to
3					Interrogatories 5_2nd Supp Response to
6					Interrogatories.pdf
7			6	By Stipulation	Cannata 2nd Supp Responses to
0					Requests for Production
8					6_2nd Supp Response to Requests for Production.pdf
9			7	By Stipulation	Cannata Declaration – Dkt 68
10			-	J I	7_Cannata Declaration 8-20-18.pdf
			8	By Stipulation	Cannata Declaration – Dkt 87
11			9	Dry Stimulation	8 Cannata Declaration 12-15-20.pdf
12			9	By Stipulation	2004-03 HP Tuners Operating Agreement
					9 HP Tuners Operating Agreement.pdf
13			10	By Stipulation	2004-09-17 Operating Agreement
14					Amendment
15					10_Operating Agreement Amendment.pdf
			11	By Stipulation	2008-03 Buy Sell Agreement
16					11_Buy Sell Agreement.pdf
17			12	By Stipulation	2015-07-20 Buy Sell Agreement-First
10					Amendment
18					12_Buy Sell Agreement First Amendment.pdf
19			13		INTENTIONALLY OMITTED
20			14		2016-03-23 Email Communications and
					NDA (Sykes-
21					Bonnett/Martinson/Cannata) 14_3-23-2016 email and NDA.pdf
22			15		2016-04-08
22					Fhptuners@yahoo.com/Cannata email
23					communications
24			16		15 4-8-2016 email.pdf 2016-04-
25			10		08Fhptuners@yahoo.com/Cannata
					email communications
26					16_4-8-2016 email 2.pdf

1	Date	Date	Number	Witness	Description
2	Marked	Admitted	16A		2016-04-08 email attachment (HIGHLY
3			1071		CONFIDENTIAL – ATTORNEYS'
4					EYES ONLY) 16-a_4-8-2016 email 2 attachments
					(HIGHLY CONFIDENTIAL –
5			17		AEO).pdf 2016-04-10
6			1 /		Fhptuners@yahoo.com/Cannata email
7					communications
			1.0		17_4-10-2016 email.pdf
8			18		2016-04-15 Fhptuners@yahoo.com/Cannata email
9					communications
10					18 4-15-2016 email.pdf
			19		2016-05-06
11					Fhptuners@yahoo.com/Cannata email communications
12					19_5-6-2016 email.pdf
13			20		2016-05-10
13					Fhptuners@yahoo.com/Cannata email
14					communications 20_5-10-2016 email.pdf
15			21		2016-05-20
					Fhptuners@yahoo.com/Cannata email
16					communications
17			22		21_5-20-2016 email.pdf 2016-06-17
18			22		Fhptuners@yahoo.com/Cannata email
10					communications (HIGHLY
19					CONFIDENTIAL – ATTORNEYS'
20					EYES ONLY) 22 6-17-2016 email (HIGHLY
					CONFIDENTIAL – AEO).pdf
21			23		2016-10-
22					16Fhptuners@yahoo.com/Cannata
23					email communications
			24	By Stipulation	23 10-16-2016 email.pdf 2016-10-20 HPT Membership Interest
24			2.	By Supulation	Purchase Agreement
25					24_Membership Interest Purchase
			25	Dry Chimaletian	Agreement.pdf
26			25	By Stipulation	2016-10-20 HPT Assignment Agreement
27					25_Assignment Agreement.pdf

1	Date Marked	Date Admitted	Number	Witness	Description
2	Iviairea	Tumited	26	By Stipulation	2016-10-20 PPC Membership Interest
3					Purchase Agreement 26_PPC Membership Interest Purchase
4					Agreement.pdf
5			27	By Stipulation	2016-10-20 PPC Assignment
					Agreement 27_PPC Assignment Agreement.pdf
6			28		2016-11-10
7					Fhptuners@yahoo.com/Cannata email
8					communications 28_11-10-2016 email.pdf
			29		2016-11-
9					12Fhptuners@yahoo.com/Cannata
10					email communications 29 11-12-2016 email.pdf
11			30		2017-01-
					09_Fhptuners@yahoo.com/Cannata
12					email communications
13			30A		30_1-9-2017 email.pdf 1_9_2017 email attachment AppKey.xls
14					(HIGHLY CONFIDENTIAL - AEO)
15					30-A_AppKey_xls (HIGHLY
			30B		CONFIDENTIAL – AEO).pdf AppKey License Slot tab - HIGHLY
16					CONFIDENTIAL – ATTORNEYS'
17					EYES ONLY 30-B AppKey License Slot tab
18					(HIGHLY CONFIDENTIAL –
					AEO).pdf
19			30C		AppKey Ver 0 Tab - HIGHLY CONFIDENTIAL ATTORNEYS EYES
20					ONLY
21					30-C_AppKey Ver 0 Tab (HIGHLY
22			30D		CONFIDENTIAL – AEO).pdf 2017-01-09 email attachment Interface
22			30D		Reprogramming (HIGHLY
23					CONFIDENTIAL – ATTORNEYS'
24					EYES ONLY) 30-D Interface Reprogramming
25					(HIGHLY CONFIDENTIAL –
					AEO).pdf
26			31		E38 ECM_TCM Programming Harness
27					31_E38 ECM-TCM Programming Harness.pdf
		<u> </u>	<u> </u>	ı	1

1	Date Marked	Date Admitted	Number	Witness	Description
2	Iviarica	7 tomitted	32		e38benchtop-2T 32 e38benchtop-2T.pdf
3			33		Bench Harness drawing
5			34		33_Bench Harness drawing.pdf  Messages Ken Cannata S5 ken only.xlsx
6			2.5		34_Messages Ken Cannata S5 ken only.pdf
7			35		Call Log Ken Cannata S5 ken only.csv 35_Call Log Ken Cannata S5 ken only.pdf
8			36		Text Ken Cannata S7 ken only.xlsx 36 Text Ken Cannata S7 ken only.pdf
9 10			37		Call Log Ken Cannata S7 ken only.csv 37_Call Log Ken Cannata S7 ken only.pdf
11 12			38		Cannata-Sykes Bonnett Text Messages - HPT-KC000002-235 38_Cannata Sykes-Bonnett Text
13			39		Messages.pdf
14 15			39		Cannata-Sykes Bonnett Text Messages - HPT-KC000236 39_Cannata Sykes-Bonnett Text Messages.pdf
16 17			40		KSB - KC Additional Text Messages - HPT-KC002563-2583 40_KSB - KC Additional Test Messages.pdf
18 19			41		KSB - KC Additional Text Messages - HPT-KC002584 41_KSB - KC Additional Text Messages 2.pdf
20 21			42		PayPal Lani Carney - HPT-SET000300- 303 42 PayPal Lani Carney.pdf
22 23			43		Facebook Posts/Messages - HPT- SET000305-310 43 Facebook Posts HPT-SET000305-
24			4.4		310.pdf
25			44		Facebook Post/Message - HPT- SET000351 44 Facebook Post HPT-SET000351.pdf
26			45		Facebook Post/Message - HPT- SET000352
27					45_Facebook Post HPT-SET000352.pdf

1	Date	Date	Number	Witness	Description
2	Marked	Admitted	46		Facebook Post/Message - HPT-
3					SET000354
4			47		46_Facebook Post HPT-SET000354.pdf Screenshot - HPT-SET000373
			1,		47_Screenshot HPT-SET000373.pdf
5			48		Screenshot - HPT-SET000374
6			40		48 Screenshot HPT-SET000374.pdf
7			49		Screenshot - HPT-SET000375 49_Screenshot HPT-SET000375.pdf
/			50		Ken Distributions March 1 2016 Oct 20
8					2016
9					50_Ken Distributions March 1 2016 Oct
			<i>E</i> 1		20 2016.pdf
10			51		Payment Records 51 Payment Records.pdf
11			52		Subpoena Response Fhptuners – HPT-
			32		KC002602-2606
12					52_Subpoena Response Fhptuners.pdf
13			53		Yahoo Inbox Overview – HPT-
					KC000613
14			5.4		53_Yahoo_Inbox_Overview.pdf
15			54		2017-01-30 Email Communications – SYK0001415
13					54 2017-01-30 Email
16					Communication.pdf
17			55		2017-01-30 Syked Tuning Software
1 /					Shares Purchase Agreement –
18					SYK000365-368
19					55_2017-01-30 Syked Tuning Software
19			56		Shares Purchase Agreement.pdf
20			30		2017-03-15 Syked ECU Buy-Sell Agreement – SYK0002019-2036
21					56 2017-03-15 Syked ECU Buy-Sell
<u> </u>					Agreement.pdf
22			57		2017-10-28 Email Communications
22					(Martinson/Cannata) – Bobbie Cannata
23					Deposition Ex. 66
24					57_2017-10-28 Email Communications.pdf
25			58		2018-02-02 Email Communications
25			50		(Martinson/Cannata) – Bobbie Cannata
26					Deposition Ex. 70
27					58_2018-02-02 Email
21					Communications.pdf

1	Date	Date	Number	Witness	Description
2	Marked	Admitted	59		2018-02-23 Email Communications
3					(Martinson/Cannata) – SYK0001701
4					59_2018-02-23 Email Communications.pdf
			60		2017-10-13 – Email Communications
5					(Martinson/Cannata) – HIGHLY
6					CONFIDENTIAL – ATTORNEYS' EYES ONLY
7					60 2017-10-13 Email Communications
					(HIGHLY CONFIDENTIAL –
8			61		AEO).pdf Screenshot-Firmware Builder –
9			01		HIGHLY CONFIDENTIAL –
10					ATTORNEYS' EYES ONLY – Email
					Communications
11					61_Screenshot-Firmware Builder (HIGHLY CONFIDENTIAL –
12					AEO).pdf
13			62		2017-11-08 Email Communications
					(Martinson/Cannata) – HIGHLY CONFIDENTIAL – ATTORNEYS'
14					EYES ONLY
15					62_2017-11-08 Email Communications
16					(HIGHLY CONFIDENTIAL – AEO).pdf
17			63		Cable Responses Screen – HIGHLY
					CONFIDENTIAL – ATTORNEYS'
18					EYES ONLY 63 Cable Responses Screen (HIGHLY
19					CONFIDENTIAL – AEO).pdf
20			64		2017-12-21 – Email Communications
					(Martinson/Cannata) – HIGHLY CONFIDENTIAL – ATTORNEYS'
21					EYES ONLY
22					64_2017-12-21 Email Communications
23					(HIGHLY CONFIDENTIAL – AEO).pdf
			65		Email Communications
24					(Martinson/Sykes-Bonnett/Cannata) –
25					SYK0004032 65 2017-01-25 Email
26					Communications.pdf
			66		Draft Buy Sell - SYK0001927-37
27					66_Draft Buy Sell.pdf

		_	1 1		
1	Date Marked	Date Admitted	Number	Witness	Description
2	Warked	7 Idillitted	67		Email Communications
3					(Martinson/Sykes-Bonnett/Cannata) – SYK0004036-62
4					67 2017-03-10 Email
					Communications.pdf
5			68		Email Communications
6					(Martinson/Sykes-Bonnett/Cannata) –
_					SYK0004064-95 68 2017-04-01 Email
7					Communications.pdf
8			69		16-03-31 March 31, 2016 Balance Sheet
					- HPT-KC000551-553
9					69_16-03-31 March 31, 2016 Balance
10					Sheet.pdf
10			70		December 2015 Book Value – HPT-
11					KC002617-18
10					70_December 2015 Book Value.pdf
12			71		Cannata-Sykes Bonnett - Text Messages
13			72		71 KC KSB Text Messages.pdf
			12		2017-11-09 Communication - Syked ECU Tuning to Cannata – CAN000025
14					72 2017-11-09 Communication –
15					Syked ECU to Cannata (HIGHLY
					CONFIDENTIAL – AEO).pdf
16			73		2017-12-21 Communication - Cannata
17					to John Martinson – CAN000066
1 /					73_2017-12-21 Martinson-KC Email
18					(HIGHLY CONFIDENTIAL –
19			74		AEO).pdf Arrowfish Rebuttal Report
17			/4		01082021.pdf
20					74_Arrowfish Rebuttal Report
21					01082021.pdf
<i>L</i> 1			75		75_SSVS, Appendix B, Glossary of
22					International Business Terms[3].pdf
22			76		HP Tuners v. Kenneth Cannata Expert
23					Report of John Bone 11.20.2020.pdf
24					76_Expert Report of John Bone 11-20- 2020.pdf
ا م			77		77 Gianturco Expert Report.pdf
25			78		Groves Report 2002083 11-20-
26					2020.pdf
					78_Groves Report 11-20-2020.pdf
27	-				

1	Date	Date	Number	Witness	Description
2	Marked	Admitted	79		CW Assembler Manual
3					HC12_RM_3_22_2021.pdf
					79_CW Assembler HC12 RM 3-22-
4			90		2021.pdf
5			80 81		80_P35.pdf 2005-08-31 Superchips HPT Jt Dev
			01		Agmt EXECUTION COPY – HPT-
6					KC000382-94
7					81_05-08-31 Superchips HPT Jt Dev
8			92		Agmt EXECUTION COPY.pdf MC9S12DP256B Device User Guide
0			82		V02.15
9					82 MC9S12DP256B Devise User
10					Guide V02-15.pdf
			83		S12MSCANV2 Chapter 1 - Freescale's
11					Scalable Controller Area Network - MSCAN Block Guide
12					83 S12MSCANV2 Chapter 1.pdf
1.2			84		Excerpts from code with whitespace
13					84_Excerpts from code with
14			85		whitespace.pdf 2018-02-02 Email Communications
15			83		(Martinson/Cannata) – Bobbie Cannata
					Deposition Ex. 69
16					85_2018-02-02 Email
17			0.6		Communications.pdf
1.0			86		2019-03-11 Communication and production – Bobbie Cannata
18					Deposition Ex. 67
19					86_2019-03-11 Communication and
20					production.pdf
			87	By Stipulation	Cannata's First Amended Answer to
21					Complaint 87 Cannata's First Amended Answer to
22					Complaint.pdf
			88	By Stipulation	Cannata's Second Supplemental
23					Responses to HP Tuners' First Set of
24					Requests for Admissions 88 Cannata's 2nd Supp Reponses to
25					RFAs.pdf
25			I	I	

1	Date	Date	Number	Witness	Description
2	Marked	Admitted	89	Dry Chinylatian	Canada's Third Canadan antal Angarran
2			89	By Stipulation	Cannata's Third Supplemental Answers to HP Tuners' First Set of
3					Interrogatories
4					89_2021-05-26 3rd Supp Answers to
5					Interrogatories.odf
3			90	By Stipulation	Cannata's First Supplemental
6					Interrogatory Responses with Signed Verification
7					90_Cannata's 1st Supp Responses to
/ <b> </b>					Interrogatories with Signed
8					Verification.pdf
			91	By Stipulation	Cannata's First Supplemental
9					Interrogatory Responses with Signed
10					Verification
					91_Cannata's 2nd Supp Responses to Interrogatories with Signed
11					Verification.pdf
12			92		2016-08-05 Email with Draft MIPA
1.0					92_2016-08-05 Email with Draft
13					MIPA.pdf
14			93		2016-09-02 Email with Draft MIPA
					(Clean and Redline)
15					93_2016-09-02 Email with Draft MIPA
16			94		Clean and Redline.pdf 2016-09-19 Email with Draft MIPA
			74		(Clean and Redline)
17					94 2016-09-19 Email with Draft MIPA
18					Clean and Redline.pdf
			95		2016-10-08 Email with Draft MIPA
19					95_2016-10-08 Email with Draft
20			0.6		MIPA.pdf
20			96		KSB/CBJ Facebook Messenger
21					Communications – Sykes-Bonnett Deposition Ex. 79
22					96 2016-10-17 KSB-CBJ Facebook
22					Communications.pdf
23			97		KSB/CBJ Facebook Messenger
24					Communications – Sykes-Bonnett
∠+					Deposition Ex. 80
25					97_2016-12-26 KSB-CBJ Facebook
26					Communications.pdf
26					

1	Date Marked	Date Admitted	Number	Witness	Description
2	IVIGINOG	Trainited	98		KSB/CBJ Facebook Messenger
3					Communications – Sykes-Bonnett
					Deposition Ex. 91
4					98_2017-01-10 KSB-CBJ Facebook
_					Communications.pdf
5			99		KSB/CBJ Facebook Messenger
6					Communications – Sykes-Bonnett
					Deposition Ex. 92
7					99_2017-01-19 KSB-CBJ Facebook
8			100		Communications.pdf
0			100		
9			101		
			102		
10			103		
11			105		
12					
13					
13	Date	d this 23rd da	y of Januar	y, 2023. Re	espectfully submitted,
14				M	ARKS & KLEIN LLC
15				IVI	ANNS & KLEIN LLC
13				/s/	Andrew P. Bleiman, Esq.
16					ndrew P. Bleiman, Esq.

Dated this 23rd day of January, 2023.

Respectfully submitted,

MARKS & KLEIN LLC

/s/ Andrew P. Bleiman, Esq.
Andrew P. Bleiman, Esq.
FLETCHER & LEE

/s/ Elizabeth Fletcher, Esq.
Elizabeth Fletcher, Esq.

Attorneys for HP Tuners, LLC

**CERTIFICATE OF SERVICE** 

Pursuant to FRCP 5(b), I certify under penalty of perjury that I am an employee of FLETCHER & LEE, 448 Ridge Street, Reno, Nevada 89501, and that on January 23, 2023, I served copies of **PLAINTIFF HP TUNERS, LLC'S EXHIBIT LIST** via the Court's Notice of Electronic Filing to all those persons listed on the United States District Court CM/ECF Confirmation Sheet.

DATED this 23rd day of January, 2023.

/s/ Elizabeth Dendary, CP ELIZABETH DENDARY, CP Certified Paralegal